

S/N 10/092,287

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas A. Dix

Examiner: Louis N. Leary

Serial No.: 10/092,287

Group Art Unit: 1646

Filed: March 6, 2002

Docket: 1798.001US5

Title: POSITIVELY CHARGED NON-NATURAL AMINO ACIDS, METHODS OF  
MAKING THEREOF, AND USE THEREOF IN PEPTIDES



TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, A. James Nelson, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on March 6, 2002. I am making this petition on behalf of Medical University of South Carolina, the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. § 3.73(b)

Your petitioner, Medical University of South Carolina, certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/092,287) and to U.S. Serial No. 10/043,581, and to the following U.S. patents: U.S. 6,358,922, as issued from U.S. Serial No. 09/452575, and U.S. 6,043,218, as issued from U.S. Serial No. 08/736049. Your petitioner owns the entire right, title, and interest of these applications and patents by nature of the assignments executed and filed for all of these applications and patents. The assignment for U.S. Serial No. 10/043,581 was recorded on June 9, 1997 on Reel 8557, Frames 0838-0845, with the United States Patent and Trademark Office. The above-identified patent application (Serial No. 10/092,287) is a divisional of U.S. Serial No. 10/043581 which is a divisional of 09/452575 (issued as U.S. 6,358,922) which is a divisional of 08/736049 (issued as U.S. 6,043,218).

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Medical University of South Carolina, seeking to take the action set forth in this disclaimer.

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Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application Serial No. 10/092,287, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of any patent which may issue from U.S. Serial No. 10/043581, and of any of the following U.S. patents: U.S. 6,358,922, as issued from U.S. Serial No. 09/452575, and U.S. 6,043,218, as issued from U.S. Serial No. 08/736049. Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 10/092,287 shall be enforceable only for and during such period that the legal title to any patent which may issue from U.S. Serial No. 10/043581, and the legal title to any of the following U.S. patents: U.S. 6,358,922, as issued from U.S. Serial No. 09/452575, and U.S. 6,043,218, as issued from U.S. Serial No. 08/736049, and the legal title of the above-identified application Serial No. 10/092,287 and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application Serial No. 10/092,287, and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application Serial No. 10/092,287 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer, of any patent which may be granted on U.S. Serial No. 10/043581, and of any of the following U.S. patents: U.S. 6,358,922, as issued from U.S. Serial No. 09/452575, and U.S. 6,043,218, as issued from U.S. Serial No. 08/736049 in the event that application Serial No. 10/043581, or any patent which may be granted thereon, or any of the above-mentioned U.S. patents later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove. Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application Serial No. 10/092,287 if no patent issues from U.S. Serial No. 10/043581.

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Fee Status

A check in the amount of \$55.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer, is enclosed herewith. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

THOMAS A. DIX

By his Representatives,

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Date

August 17, 2004

By

A. James Nelson

Reg. No. 28,650

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17 day of August, 2004.

Name

Dawn M. Koole

Signature

Dawn M. Koole